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April 26, 2010

Mr. Jeff Clemmons
131 Paradise Point Road
Yorktown, VA 23692

RE: York County CBPA Exception 2010-078, proposed shed at 131 Paradise Point Road

Dear Mr. Clemmons:

On April 14, 2010, we received an Application to the Chesapeake Bay Board and the \$250.00 filing fee for a proposed shed at 131 Paradise Point Road. On April 22, 2010 we received a copy of your proposed plan; the County Ordinance provides for administrative encroachments into the RPA buffer down to fifty feet to build a principle structure, however, detached accessory structures are not eligible for authorizations per Chapter 23.2-9 f (1) a. Therefore, this exception request will be heard by the Chesapeake Bay Board.

The next York County Chesapeake Bay Board public hearing is scheduled for 6:00 p.m. on Wednesday, May 26, 2010. The hearing will be held in the East Room on the first floor of York Hall. York Hall is located at 301 Main Street, which is on the northeast corner of Main Street and Ballard Street in Yorktown's historical area.

Per our previous conversations and my site visit, you have room to move the proposed shed closer to the house outside the RPA. If located outside the 100 foot RPA you could build your shed without Board approval. The area outside the RPA is near your house and driveway. You would still have to meet all Zoning setbacks. A copy of your plan with areas highlighted outside the RPA is enclosed.

Should the Board approve your request the following will be required:

- Mitigation will be required for all proposed impervious cover added within the RPA. Because your lot is below 8 feet elevation the mitigation must be in the form of buffer restoration or a rain garden. The total mitigation will be determined once the actual location is approved.
- A BMP maintenance Agreement must be executed and recorded to insure the future efficiency of the mitigation measures.

Mr. Clemmons
April 26, 2010
Page 2

Please stake the location of the proposed garage by May 10, 2010. Per your request we will flag the RPA on May 10, 2010.

Please be advised, by submitting your application to the Chesapeake Bay Board you consent to site visits to the subject property made by staff of the York County Department of Environmental and Development Services and members of the York County Chesapeake Bay Board. The Board members may visit your site between May 11, 2010 and May 25, 2010.

If you have any questions, please contact me at 890-3777 as soon as possible.

Sincerely,



Melinda Dunlap
Environmental Technician

Copy to: Joseph Brogan, CBPA Manager
Kent Henkel, Environmental Technician
Melanie Economou, Assistant County Attorney
Nancy Miller, Chesapeake Bay Local Assistance Department
Chesapeake Bay Board and File